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Attorneys for Defendants
Hard Rock Hotel Holdings, LLC,
Morgans Hotel Group Co.; and,
DLJ Merchant Banking Partners IV, LP

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BRIAN FEIGENBAUM, an individual

Plaintiff,

v.

HARD ROCK HOTEL HOLDINGS, LLC, a
Delaware limited liability company registered as
a Nevada Foreign limited liability company;
MORGANS HOTEL GROUP CO., a Delaware
Corporation; DLJ MERCHANT BANKING
PARTNERS IV, LP, a Delaware limited
partnership; GOVERNMENT OF SINGAPORE
INVESTMENT CORPORATION, a Singapore
company, DOES I through X and ROE
CORPORATIONS I through X, inclusive

Defendants.

Case No. 2:11-cv-00503-GMN-RJJ

**STIPULATION AND ORDER TO
REMAND CASE TO STATE COURT**

Defendants Hard Rock Hotel Holdings, LLC, Morgans Hotel Group Co., and DLJ Merchant Banking Partners IV, LP, by and through their counsel of record, Jackson Lewis LLP, and Plaintiff Brian Feigenbaum, by and through his counsel of record, Law Offices of Nathan M. Costello, Chtd., hereby stipulate and agree to voluntarily remand the above referenced matter to the Eighth Judicial District Court, Clark County, Nevada, and each party will bear its own attorneys' fees and costs.

1 The parties further agree and understand that they reserve and do not waive or forfeit any
2 claims, defenses or other objections that they may have in this action.

3 Dated this 2nd day of May, 2011.

4 LAW OFFICES OF NATHAN M. COSTELLO JACKSON LEWIS LLP

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6 /s/ Nathan M. Costello
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9 *Attorneys for Plaintiff*
Brian Feigenbaum

6 /s/ Elayna J. Youchah
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9 *Attorneys for Answering Defendants*
Hard Rock Hotel Holdings, LLC,
Morgans Hotel Group Co.; and,
DLJ Merchant Banking Partners IV, LP

12 **ORDER OF DISMISSAL**

14 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the above entitled
15 matter is remanded to the Eighth Judicial District Court, Clark County, Nevada and each party to
16 bear its own attorneys' fees and costs.

17 **DATED** this 4th day of May, 2011.

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Gloria M. Navarro
21 United States District Judge